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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/625,320

07/23/2003

David A. Brown

2037.2005-008

7755

21005

7590

06/05/2007

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EXAMINER

LEROUX, ETIENNE PIERRE

ART UNIT

PAPER NUMBER

2161

MAIL DATE

DELIVERY MODE

06/05/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/625,320

Applicant(s)

BROWN, DAVID A.

Examiner

Etienne P. LeRoux

Art Unit

2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 July 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

***Claim Status***

Claims 1-18 are pending. Claims 1-18 are rejected as detailed below.

***Double-Patenting***

Claim 1 of the instant application 10/625,320 filed July 23, 2003 is unpatentable under the judicially created doctrine of "obviousness-type" double patenting with respect to claim 1 of parent U.S. Patent No 6,633,567 (Brown).

Instant Application claim 1 defines an obvious variation of the invention claimed in US Pat No 6,633,567.

Claim 1 of the instant application is anticipated by the patent claim 1 in that claim 1 of the patent substantially contains all of the limitations of instant application. Claim 1 of the instant application therefore is not patentably distinct from the earlier patent claim and as such is unpatentable for obvious-type double patenting.

Pat No US 6,633,567 includes the limitations of instant application except for at least one ingress port and at least one egress port. Bordonaro discloses an ingress port and an egress port [col 11, lines 55-65]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Pat No 6,633,567 to include an input port and an output port as taught by Bordonaro for the purpose receiving packets over a TCP/IP connection.

Art Unit: 2161

Pat No US 6,633,567

What is claimed is:

1. A switch comprising: a translator which provides a translated identifier for a virtual LAN identifier associated with a received data packet, the translated identifier including a group identifier corresponding to a virtual LAN group and a group member number corresponding to the identified virtual LAN; and a filtering database storing a static entry and a dynamic entry which provides a forwarding decision, for the received data packet, from a single search of the filtering database for a match for the forwarding decision associated with the translated identifier stored in the dynamic entry or the static entry, the dynamic entry storing the forwarding decision associated with the group identifier included in the translated identifier and the group member number set to a don't care, the static entry storing the forwarding decision associated with the translated identifier.

Application No 10/625,320

What is claimed is: . . .

1. A switch for receiving and forwarding data packets comprising: at least one ingress port for receiving data packets, at least one of the data packets associated with a virtual LAN identifier; at least one egress port for forwarding the data packets; and forwarding logic which provides a translated identifier for the virtual LAN identifier, the forwarding logic comprising: a filtering database that provides a forward vector for the translated identifier from a single search of the filtering database.

Art Unit: 2161

**Pat No US 6,633,567 does not claim a ingress port**

at least one ingress port for receiving data packets

**a translator which provides a translated identifier for a virtual LAN identifier associated with a received data packet**

at least one of the data packets associated with a virtual LAN identifier

**Pat No US 6,633,567 does not claim a egress port**

at least one egress port for forwarding the data packets

**a translator which provides a translated identifier for a virtual LAN identifier associated with a received data packet**

forwarding logic which provides a translated identifier for the virtual LAN identifier

**and a filtering database storing a static entry and a dynamic entry which provides a forwarding decision, for the received data packet, from a single search of the filtering database**

a filtering database that provides a forward vector for the translated identifier from a single search of the database

Art Unit: 2161

Note:

In the above comparison of claim limitations, the limitations of Pat No US 6,633,567 are bolded while the limitations for Serial No 10/625,320 are non-bolded

***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne P. LeRoux whose telephone number is (571) 272-4022.

The examiner can normally be reached on Monday through Friday, 8:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on (571) 272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Etienne LeRoux

5/30/2007



ETIENNE LEROUX  
PRIMARY EXAMINER